

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re

CORE SCIENTIFIC, INC., et al.,

Debtors³.

CORE SCIENTIFIC, INC., et al.,

Plaintiffs,

V.

**SPHERE 3D CORP. and GRYPHON DIGITAL
MINING, INC.,**

Defendants.

Chapter 11

Case No. 22-90341 (CML)

(Jointly Administered)

(Emergency Relief Requested)

Adv. Pro. No. 23-03252

**[PROPOSED] ORDER VACATING THE SCHEDULING ORDER IN THE
SPHERE CONTESTED MATTER AND CONSOLIDATING THE SPHERE
CONTESTED MATTER WITH THE ADVERSARY PROCEEDING**

Upon the motion, dated November 25, 2023 (the “**Motion**”),⁴ Core Scientific Operating Company f/k/a Core Scientific, Inc. (“**Core**”) and its Debtor affiliates (collectively, the

³ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Core Scientific Mining LLC (6971); Core Scientific, Inc. (3837); Core Scientific Acquired Mining LLC (N/A); Core Scientific Operating Company (5526); Radar Relay, Inc. (0496); Core Scientific Specialty Mining (Oklahoma) LLC (4327); American Property Acquisition, LLC (0825); Starboard Capital LLC (6677); RADAR LLC (5106); American Property Acquisitions I, LLC (9717); and American Property Acquisitions, VII, LLC (3198). The Debtors' corporate headquarters and service address is 210 Barton Springs Road, Suite 300, Austin, Texas 78704.

⁴ All capitalized terms used, but not otherwise defined, herein shall have the meanings ascribed to such terms in the Motion.

“Debtors”)⁵ in the above-captioned chapter 11 cases and as Plaintiffs in the above-captioned adversary proceeding, seeking entry of an order (this “**Order**”) vacating the scheduling order (docketed in 22-90341, Docket No. 1188 (the “**Scheduling Order**”)) entered in the contested matter associated with proofs of claim nos. 358 and 359 filed by Sphere 3D Corp. and the Debtors’ objection thereto (the “**Sphere Contested Matter**”) and consolidating the Sphere Contested Matter with the adversary proceeding (the “**Adversary Proceeding**”) initiated by the Debtors’ complaint filed on November 21, 2023, docketed at 23-03252, Docket No. 1 (the “**Adversary Complaint**”) and granting related relief, all as more fully set forth in the Motion; and pursuant to Rule 7042 of the Federal Rules of Bankruptcy Procedure; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. § 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and all responses, if any, to the Motion having been withdrawn, resolved, or overruled; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Debtors, their respective estates and creditors, and all parties-in-interest, and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore, **IT IS HEREBY ORDERED THAT:**

1. The Scheduling Order is vacated and discovery is adjourned until after the Court sets a schedule for the Adversary Proceeding, which shall be after the Defendants respond to the Complaint and the parties appear at a pretrial conference before the Court.

⁵ Core Scientific, Inc. changed its name to Core Scientific Operating Company in January 2022.

2. The Sphere Contested Matter is consolidated with this Adversary Proceeding.

3. The Court will set a pretrial conference in this Adversary Proceeding after the Defendants have filed their responses to the Complaint.

Dated: November____, 2023
Houston, Texas

CHRISTOPHER M. LOPEZ
UNITED STATES BANKRUPTCY JUDGE